

SECOND REGULAR SESSION

SENATE BILL NO. 799

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Read 1st time January 4, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

3581S.011

AN ACT

To repeal section 226.550, RSMo, and to enact in lieu thereof one new section relating to miscellaneous fees for erecting and maintaining outdoor advertising structures.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 226.550, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 226.550, to read as follows:

226.550. 1. No outdoor advertising which is regulated by subdivision (1),
2 (3) or (4) of section 226.520 or subsection 1 of section 226.527 shall be erected or
3 maintained on or after August 28, 1992, without a one-time permanent permit
4 issued by the state highways and transportation commission. Application for
5 permits shall be made to the state highways and transportation commission on
6 forms furnished by the commission and shall be accompanied by a permit fee of
7 **fifty dollars for signs less than one hundred square feet and** two hundred
8 dollars for all signs **one hundred fifty square feet and greater**; except that,
9 tax-exempt religious organizations as defined in subdivision (11) of section
10 313.005, RSMo, service organizations as defined in subdivision (12) of section
11 313.005, RSMo, veterans' organizations as defined in subdivision (14) of section
12 313.005, RSMo, and fraternal organizations as defined in subdivision (8) of
13 section 313.005, RSMo, shall be granted a permit for signs less than seventy-six
14 square feet without payment of the fee. In the event a permit holder fails to erect
15 a sign structure within twenty-four months of issuance, said permit shall expire
16 and a new permit must be obtained prior to any construction.

17 2. No outdoor advertising which is regulated by subdivision (1), (3) or (4)
18 of section 226.520 or subsection 1 of section 226.527 which was erected prior to

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 August 28, 1992, shall be maintained without a one-time permanent permit for
20 outdoor advertising issued by the state highways and transportation commission.
21 If a one-time permanent permit was issued by the state highways and
22 transportation commission after March 30, 1972, and before August 28, 1992, it
23 is not necessary for a new permit to be issued. If a one-time permanent permit
24 was not issued for a lawfully erected and lawfully existing sign by the state
25 highways and transportation commission after March 30, 1972, and before August
26 28, 1992, a one-time permanent permit shall be issued by the commission for each
27 sign which is lawfully in existence on the day prior to August 28, 1992, upon
28 application and payment of a permit fee of two hundred dollars. All applications
29 and fees due pursuant to this subsection shall be submitted before December 31,
30 1992.

31 3. For purposes of sections 226.500 to 226.600, the terminology "structure
32 lawfully in existence" or "lawfully existing" sign or outdoor advertising shall,
33 nevertheless, include the following signs unless the signs violate the provisions
34 of subdivisions (3) to (7) of subsection 1 of section 226.580:

35 (1) All signs erected prior to January 1, 1968;

36 (2) All signs erected before March 30, 1972, but on or after January 1,
37 1968, which would otherwise be lawful but for the failure to have a permit for
38 such signs prior to March 30, 1972, except that any sign or structure which was
39 not in compliance with sizing, spacing, lighting, or location requirements of
40 sections 226.500 to 226.600 as the sections appeared in the revised statutes of
41 Missouri 1969, wheresoever located, shall not be considered a lawfully existing
42 sign or structure;

43 (3) All signs erected after March 30, 1972, which are in conformity with
44 sections 226.500 to 226.600;

45 (4) All signs erected in compliance with sections 226.500 to 226.600 prior
46 to August 28, 2002.

47 4. On or after August 28, 1992, the state highways and transportation
48 commission may, in addition to the fees authorized by subsections 1 and 2 of this
49 section, collect a biennial inspection fee every two years after a state permit has
50 been issued. Biennial inspection fees due after August 28, 2002, and prior to
51 August 28, 2003, shall be fifty dollars. Biennial inspection fees due on or after
52 August 28, 2003, shall be seventy-five dollars. Biennial inspection fees due on or
53 after August 28, [2004] **2006**, shall be **twenty-five dollars for signs less than**
54 **one hundred fifty square feet and one hundred dollars for signs one**

55 **hundred fifty square feet and greater**; except that, tax-exempt religious
56 organizations as defined in subdivision (11) of section 313.005, RSMo, service
57 organizations as defined in subdivision (12) of section 313.005, RSMo, veterans'
58 organizations as defined in subdivision (14) of section 313.005, RSMo, and
59 fraternal organizations as defined in subdivision (8) of section 313.005, RSMo,
60 shall not be required to pay such fee.

61 5. In order to effect the more efficient collection of biennial inspection
62 fees, the state highways and transportation commission is encouraged to adopt
63 a renewal system in which all permits in a particular county are renewed in the
64 same month. In conjunction with the conversion to this renewal system, the state
65 highways and transportation commission is specifically authorized to prorate
66 renewal fees based on changes in renewal dates.

67 6. Sign owners or owners of the land on which signs are located must
68 apply to the state highways and transportation commission for biennial
69 inspection and submit any fees as required by this section on or before December
70 31, 1992. For a permitted sign which does not have a permit, a permit shall be
71 issued at the time of the next biennial inspection.

72 7. The state highways and transportation commission shall deposit all
73 fees received for outdoor advertising permits and inspection fees in the state road
74 fund, keeping a separate record of such fees, and the same may be expended by
75 the commission in the administration of sections 226.500 to 226.600.

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